

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	NO. 03-CR-10356-MLW
	)	
FREDERICK A. SIMONE,	)	
VINCENT C. GIOACCHINI, and	)	
FRANCIS WHITE,	)	
	)	
Defendants.	)	

**GOVERNMENT'S MOTION FOR BRIEF CONTINUANCE OF TIME WITHIN  
WHICH TO FILE RESPONSES TO DEFENDANTS' MOTIONS**

The United States of America, through its attorneys, Michael J. Sullivan, United States Attorney for the District of Massachusetts, and Assistant U.S. Attorneys Ernest DiNisco and Heidi E. Brieger, hereby respectfully moves the Court to continue for ten (10) days -- to December 3, 2004 -- the time within which the Government must respond to Defendant's Motions in the above-captioned matter.

As grounds for the request, and in light of the Court's reminder that such continuances were not likely, the government states that there have been, and continue to be, complex negotiations between the parties and the Commonwealth of Massachusetts concerning a possible pre-trial resolution of this matter. In consideration of such negotiations, the government requests a brief amount of additional time for the final preparation and review of its submissions to the Court. The government has contacted counsel of record to obtain their assent to this Motion, but court schedules have interfered with reaching

them. The government has no reason to believe that counsel would not assent to this Motion.

**WHEREFORE**, the government respectfully requests this Court to Continue to December 3, 2004, the time within which it must respond to Defendants' Motions in this matter.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /Heidi E. Brieger/  
ERNEST DINISCO  
HEIDI E. BRIEGER  
Assistant U.S. Attorneys

**CERTIFICATE OF SERVICE**

Suffolk, ss.

Boston, Massachusetts

This is to certify that a copy of the foregoing motion was sent by United States mail and facsimile to counsel of record this 18th day of December 2004.

/Heidi E. Brieger/  
HEIDI E. BRIEGER  
Assistant U.S. Attorney